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**UNITED STATES BANKRUPTCY
COURT DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13359 (VFP)

(Joint Administration Requested)

Hearing Date: July 11, 2023 at 11:00 a.m.

Oral Argument Not Requested

NOTICE OF MOTION

PLEASE TAKE NOTICE that the Creditor, Telegraph Marketplace Partners II, LLC (“Telegraph Partners”) will move before the Honorable Vincent F. Papalia on July 11, 2023 at 11:00 a.m. or as soon thereafter as counsel may be heard, at the United State Bankruptcy Court,

¹ The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

50 Walnut Street, New Jersey, for entry of an order confirming the absence of the automatic stay, or in the alternative, granting relief from the automatic stay entered in this Chapter 11 proceeding, and permitting Telegraph Partners to continue its eviction of Bed Bath & Beyond, Inc. (the “Debtor”) currently pending before the Firth Judicial District Court for the County of Washington, State of Utah, Case Number 230500322.

PLEASE TAKE FURTHER NOTICE that in support of the Motion, the undersigned shall rely upon the Motion To Confirm Absence of Automatic Stay (“Motion”), which sets forth the relevant factual and legal bases upon which the relief requested should be granted, the Declaration of Eileen Higgins with exhibits annexed thereto. A proposed order granting the relief requested in the Motion is also being submitted.

PLEASE TAKE FURTHER NOTICE that unless objections are timely presented, the Motion shall be deemed uncontested in accordance with D.N.J. LBR 9013-1(a) and the relief requested may be granted without a hearing.

PLEASE TAKE FURTHER NOTICE that this matter does not involve complicated issues of law or fact and therefore no brief is necessary.

Dated: May 29, 2023

Respectfully submitted,

/s/ David Graff

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